

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOVAN C. YOUNG,

Petitioner,

vs.

E.K. MCDANIEL, *et al.*,

Respondents.

3:11-cv-00720-LRH-WGC

ORDER

Petitioner, a Nevada prisoner, has submitted a petition for writ of habeas corpus (docket #1-2). However, while he has submitted the signed financial certificate, he has failed to submit the application to proceed *in forma pauperis* itself. Petitioner will be granted thirty (30) days to either pay the \$5.00 filing fee or submit an application to proceed *in forma pauperis*. The court notes that the financial certificate and inmate account statement already provided (docket #1-1) indicate that he is able to pay the full fee pursuant to 28 U.S.C. § 1915.

The court will retain the petition for writ of habeas corpus, but will not file it at this time.

IT IS THEREFORE ORDERED that petitioner shall have **thirty (30) days** from the date this order is entered to either (1) pay the \$5.00 filing fee or (2) submit an application to proceed *in forma pauperis*. Failure to take one of these actions within the time allowed may result in dismissal of this action.

IT IS FURTHER ORDERED that the Clerk shall **SEND** to petitioner the approved form for an application to proceed *in forma pauperis*.

IT IS FURTHER ORDERED that the Clerk shall **SEND** to petitioner two copies of this order.

1 If petitioner wishes to pay the five dollar (\$5) filing fee (the first option, above), petitioner must make
2 the necessary arrangements to have one copy of this order, along with a check in the amount of the full
3 \$5 filing fee, sent to the court, by sending a copy of the order with a "brass slip" to Inmate Services for
4 issuance of the check.

5 **IT IS FURTHER ORDERED** that the Clerk shall retain the petition for a writ of habeas corpus
6 but shall not file it at this time.

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8 DATED this 31st day of October, 2011.



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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE